

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

CANTEEN VENDING COMPANY,  
Individually and on behalf of a class of all those  
similarly situated,

Plaintiff,

-against-

CADBURY ADAMS CANADA, INC.,  
CADBURY SCHWEPPES PLC, CADBURY  
ADAMS USA LLC, HERSHEY CANADA, INC.,  
THE HERSHEY COMPANY, MARS CANADA  
INC., MARS INC., MARS NORTH AMERICA,  
MARS SNACKFOODS US, NESTLE CANADA  
INC., NESTLE S.A., and NESTLE USA,

Defendants.

-----X

08 Civ. 1205 (PKC)

**AFFIDAVIT OF SERVICE**

SFP: 2008-1748

Ref:

CERTIFICATE - ATTESTATION

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention  
L'autorite soussignée a l'honneur d'attester conformement a l'article 6 de ladite Convention.

1) that the document has been served the (date) **25 March 2008**  
que le demande a ete executee le (date)

-at (place, street, number) CADBURY SCHWEPPES PLC  
-a (localite, rue, numero) 25 BERKELEY SQUARE  
LONDON  
W1J 6HB

- in one of the following methods authorised by article 5:

-dans une des formes suivantes prevues a l'article 5:

a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the convention

selon les formes legales (article 5, alinea premier, lettre a)

b) in accordance with the following particular method  
selon la forme particuliere suivante

c) by delivery to the addressee, who accepted it voluntarily  
par remise simple

The documents referred to in the request have been delivered to:

Les documents mentionnes dans la demande ont ete remis a: **JOHN EDWARD HUDSPITH**

- (identity and description of person)

- (identite et qualite de la personne)

- relationship to the addressee (family, business or other) **SECRETARIAT MANAGER**

- liens de parente de subordination ou autres avec

le desinataire de l'acts

2) that the document has not been served, by reason of the following facts:  
que la demande n'a pas ete executee, en raison des faits suivants:

in conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay the expenses details in the attached statement.

Conformement a l'article 12, alinea 2 de ladite Convention, le requerant est prie de payer ou de rembourser les frais dont le detail figure au memoire ci-joint

Annexes

Documents returned

Pieces renvoyees

in appropriate cases, documents  
establishing the service:

le cas echeant, les documents

justicatifs de l'execution:

Done at London  
fait a

the 4 April, 2008  
le

Signature and/or stamp

Signature et/ou cachet:



2008-1748

ZURÜCKSENDEN - TO RETURN  
à retourner - de restituer

**SUMMARY OF THE DOCUMENT TO BE SERVED**  
**ÉLÉMENTS ESSENTIELS DE L'ACTE**

**Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.**

*Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 novembre 1965.*

**(article 5, fourth paragraph)**

*(article 5, alinéa quatre)*

**Name and address of the requesting authority: Nom et adresse de l'autorité requérante:**

Tanya Chutkan, Esq.

Boies, Schiller & Flexner, LLP

5301 Wisconsin Avenue, #800,

Washington D.C. 20015

Telephone: 202-237-2727

**Particulars of the parties: Identité des parties:**

See Attachment 'A'

**JUDICIAL DOCUMENT**

**ACTE JUDICIAIRE**

**Nature and purpose of the document: Nature et objet de l'acte:**

Give notice to Defendant of the commencement of a civil claim against it and to summon it to respond.

**Nature and purpose of the proceedings and, where appropriate, the amount in dispute:**

*Nature et objet de l'instance, le cas échéant, le montant du litige:*

See Attachment 'B'

**Date and place for entering appearance: Date et lieu de la comparution:**

Defendant is summoned and required to serve upon Plaintiff's Attorney, Boies, Schiller & Flexner, LLP an Answer to the Complaint within 30 days.

**Court which has given judgment\*\*: Jurisdiction qui a rendu la décision:**

N/A

**Date of judgment\*\*: Date de la décision:**

N/A

**Time limits stated in the document\*\*: Indication des délais figurant dans l'acte:**

Defendant is summoned and required to serve upon Plaintiffs' Attorney Boies Schiller & Flexner, LLP an Answer to the Complaint within thirty (30) days after service of the Summons, exclusive of the day of service. If Defendant fails to do so, judgment by default will be taken against it for the relief demanded in the Complaint. Any Answer Defendant serves on the parties to this action may be filed with the Clerk of the Court within a reasonable period of time.

**EXTRAJUDICIAL DOCUMENT**

**ACTE EXTRAJUDICIAIRE**

**Nature and purpose of the document: Nature et objet de l'acte:**

N/A

**Time limits stated in the document\*\*: Indication des délais figurant dans l'acte:**

N/A